

# Eastern Utah Advocate

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## SHERIFF T. F. KELTER WHOLLY EXONERATED

INSTRUCTED JURY BRINGS IN  
VERDICT OF NOT GUILTY.

Plaintiff, Geo. N. Hill, Acting On  
Behalf of Carbon County Com-  
missioners, Falls Signally to Es-  
tablish Malfeasance.

The case of George N. Hill  
against T. F. Kelter, sheriff,  
for malfeasance in office and  
asking for the removal of the  
officer, came to a sudden ter-  
mination last Saturday after-  
noon, following arguments in  
the matter after the plaintiff  
rested.

After the attorneys for the  
plaintiff had examined all of  
their witnesses and announce-  
d the close of their evidence,  
attorneys for the defendant  
asked the court to hear argu-  
ments for the court to direct  
the jury to bring in a verdict  
of not guilty and discharge  
the defendant. These argu-  
ments took up practically the  
entire afternoon, at the con-  
clusion of which, the court in-  
structed the jury to bring in  
a verdict for the defendant.

The selection of a jury and  
the introduction of evidence  
by the plaintiff consumed the  
entire week from Monday  
afternoon until Saturday after-  
noon. In the words of Allen  
T. Sanford, attorney for Hill,  
and who was seen by the Ad-  
vocate after the decision of  
the court, "The witnesses  
made a 'fall down'." Testimo-  
ny that Mr. Sanford had re-  
served upon in the case was not  
forthcoming upon the witness-  
es taking the stand.

Judging from the interview  
of The Advocate with the Salt  
Lake attorney the decision of  
the court was not unexpected.  
In short, Mr. Sanford created  
the impression that he was  
thoroughly disgusted with the  
evidence as it turned out.

Twenty-nine witnesses were called  
by the plaintiff in an attempt to es-  
tablish malfeasance in office by Mr.  
Kelter. For the most part, how-  
ever, the defense could not have se-  
cured better testimony than it did  
from the plaintiff's own men and in  
this instance was it shown that the  
plaintiff had knowledge of any of the  
alleged malfeasance mentioned in the com-  
plaint.

While there was some evi-  
dence to show that Kelter had been  
in the office that gambling was being  
conducted at Sunnyside, at the  
places mentioned plaintiff was  
unable to show that the sheriff had  
been informed of its existence.

The court in its decision stated that  
the nature of the plaintiff's case  
was fatal to the plaintiff's case,  
and that he should have  
shown that the facts of alleged  
malfeasance should have  
been placed in the sheriff's hands  
and an attempt should have been  
made to remove him from office on  
account of his failure to perform  
duty.

**McQuinn Case Dismissed.**  
The allegations in the McQuinn  
case were practically the same as  
the case against Kelter and as  
practically the same witnesses,  
were considered useless to further  
the case with the matter, and on  
the motion of Allen T. Sanford at the  
close of the court Tuesday the  
case of Geo. N. Hill vs. C. C. Mc-  
Quinn was dismissed.

**COURT GETS DECISION IN  
HILL'S CASE, HOWEVER**

Thursday, July 9th, it dawned  
upon the bull moose commission-  
ers and their attorneys, that those  
in charge in the range and the  
county must give the orchestra  
consideration. This was  
apparently to their mind when  
evidence in the Kelter case  
demanded their fees.

Following a special meeting, at  
which Benita Randolph and J.  
H. H. H. was hastily called and a

## Board of County Commissioners' Court in Session



"Damned be he who dares to criticize or question."

motion by J. R. Sharp, seconded by  
Randolph, passed, that the sum of  
\$500, or as much thereof as may be  
required, be appropriated to pay the  
expenses of witnesses, etc. In the  
cause of Geo. N. Hill vs. Thomas F.  
Kelter and C. C. McWhinney.

### County Attorney Gets Busy

Immediately upon learning of this  
action County Attorney McWhinney  
served notice on the county clerk  
that such a proceeding was entirely  
without the jurisdiction of the  
board and gave legal instructions to  
Mr. Horsley not to make out war-  
rants for witness fees.

### Another Special Meeting.

Inasmuch as the county clerk was  
disposed to look at the matter in  
this light, Mr. Sharp called another  
meeting of the board for the follow-  
ing night. At this second special  
meeting a full board was present  
and the following resolution was  
passed:

"Whereas, The county commis-  
sioners heretofore authorized an ac-  
tion to be instituted to remove  
Thomas F. Kelter from the office of  
sheriff and arranged with O. C. Nel-  
son and Allen T. Sanford to cause  
such action to be instituted; and

"Whereas, Said O. C. Nelson and  
Allen T. Sanford caused said suit to  
be instituted in the name of Geo.  
N. Hill, a taxpayer, as plaintiff, and

"Whereas, Expenses have accrued  
in the conduct of said suit for  
witnesses and other necessary ex-  
penses, now therefore be it

"Resolved, That the county clerk  
and treasurer are hereby authorized  
and directed to issue and pay war-  
rants for the following claims and  
witnesses:

(Here follows a list of more  
claims allowed to witnesses for fees  
in the Kelter proceedings.)

Another similar resolution passed  
at the same time provides for \$300  
to be paid to Nelson and Sanford.

Still another resolution gives J.  
W. Edmunds a job of interviewing  
the state board of equalization on  
tax matters.

Legal blanks of every description  
carried in stock. The Advocate Pub-  
lishing Co.—Adv.

## MODERN COMEDY--TIME, PRESENT; PLACE, ROOM IN CARBON COURT HOUSE

Bent--The court will come to or-  
der.

Bill--Why a court, most noble  
chairman?

Bent--Because so styled by Joe,  
whose judgment cannot err, who is  
advised by Oscar, than whom no  
clearer logician lives: learned in all  
useful things.

Joe--Is it not so noble advisor?

Oscar--If thou so wilt the board  
shall be a court, and henceforth  
damned be he who dares to criticize  
or question thy authority. Noble  
Stanley in exile would say so were  
there a county warrant in it.

Bent--So let it be. To business,  
court.

Bill--I move--

Joe--Move not, thy function is  
not to move, but to second. All  
movements are with me. Is it not  
so, thou homesteader?

Oscar--Again, as always, thou  
art right.

Joe--Let the motion be recorded,  
duly seconded by Bill, that tax val-  
ues be raised more still. The cor-  
porations must have another thrill.

Bent--What pressing exigencies?

Joe--Our noble counselor must  
be rewarded. Look! His pale  
cheek bespeaks inferior food. Ben-  
ter, too, must have sustenance. His  
labored sentences are not produced  
from skim milk drained from cows  
in unclean stables. Such brains re-  
quire rich diet, and such diet re-  
quires taxation of the corporations.

Least Bentier die; least indeed this  
court should be bereft its learned  
counselor, Bent, parley not.

Clerk--The record shows the mo-  
tion duly carried; figures only look-  
ing.

Joe--Alpha will insert the fig-  
ures. Remind him of MacDuff and  
damned the soulless corporation be  
which first cries, "Hold, we have  
enough."

Oscar--'Tis legal--

Bent--Our integrity may be ques-  
tioned.

Joe--Not by those who read the  
Carbon County News. Is not Ben-  
ter paid to weekly prate our hon-  
ors and if such prating nauseates  
him, send him a pail of my Sunnyside  
skim.

Bill--To business. Joe, mention  
not thy milk. I am already nau-  
sated at thought of the paleness  
thereof. Was Stanley banished to  
the ranch?

Joe--To business. What officer  
remains not impeached? Let the  
learned blacksmith say.

Oscar--None left in the county,  
but charges against the governor,  
attorney general and state board of  
equalization will lie. Besides, I  
think we might investigate the  
judge. I saw him shake hands with  
Bent the other day.

Bill--I move--

Joe--Move not, Bill, thy mental  
aptitude and only proper function is  
to second. The clerk will let the  
record show that of all crooked  
things below none can compare in  
rank damnation with the average  
coal mining corporation.

This august court replete with  
power  
is sworn to search each passing  
hour  
for ways and means for their ex-  
tinction.

What's already done has brought  
distinction--

Do we not have the heartfelt thanks  
Of Industrial Workers 'neath the  
tanker?

Our friends who neither toil nor  
spin,  
At elections very seldom win.  
So, progressive friends, it is our  
pleasure  
That you should play the public  
treasure.

The clerk will let the record show  
Three hundred plunks of county  
dough  
Credited beloved Oscar's frail ac-  
count,  
Or more if this is not enough  
amount.

Bent--The ranch, Joe--the ranch  
thou superintends--does it earn  
taxes, including thy stipends?

Bill--I move--

Joe--Move not, the court's ad-  
journing.

### ELKS ROYALLY RECEIVED

Hundreds of Residents Meet Special  
at Depot.

It is safe to say that at no town  
along the line between Salt Lake  
and Denver did the Elks' special re-  
ceive a more royal reception than  
in Price Friday night.

The special arrived on schedule  
time, 10:15 o'clock, and it was  
greeted by the blowing of whistles,  
the tooting of auto horns, serenades  
by the local band and the cheers of  
hundreds of citizens who had con-  
gregated at the depot. So large was  
the crowd that it required general  
ship on the part of the excursion-  
ists to make their way up Eighth  
street, led by the Provo and Price  
bands.

An hour was spent by the citizens  
and visitors in listening to selections  
by each band. Promptly at 11  
o'clock at the Aldome the Elks  
went through their 11 o'clock cere-  
mony, which was witnessed by Price  
people, and so crowded was the  
spacious quarters that many were  
unable to find seats.

The special left at 11:30 and in  
departing the visitors stated that  
they were more than pleased with  
the turnout and the reception given  
them. A beautiful welcome sign  
had been arranged illuminated with  
purple electric lights, the Elk color,  
and the streamers were lighted with  
many different colored incandescent  
lights. All were willing to accord  
the title to Price as being "the big-  
gest little city on earth."

## TWO CHARGED WITH FELONIOUS OFFENSES

BY BAIRD AND W. H. SWARTZ-  
ENBURG DRAW WARRANTS.

Well known Hotel Man Alleged to  
Have Misused Money Left in His  
Keeping--Representative of Auto  
Firm Said to Have Appropriated  
Money Belonging to Employers.

**Hyrum Baird Arrested.**

Complaints were sworn out last  
week through the county attorney's  
office charging Hyrum Baird with  
embezzlement of \$60 left with him  
by Mrs. Jas. Westfield, a resident  
of Sunnyside and a former guest  
at the Savoy hotel, at which Mr.  
Baird has been the manager and  
principal stockholder for the past  
thirteen months. The warrants of  
arrest were served on the hotel man  
in Salt Lake through the Salt Lake  
county sheriff's office. Through per-  
mission of the sheriff's office here

Mr. Baird was allowed to return to  
Price unaccompanied by an officer.  
He arrived here on No. 2 Friday  
night, bringing with him two bond-  
smen, J. D. Kilpack and George E.  
Poed, who qualified before Justice  
of the Peace A. J. Lee Tuesday  
morning. The case was set for trial  
for Saturday.

The former Savoy proprietor dis-  
claims that he is guilty of a felo-  
ny charge and that the matter will  
be entirely cleaned up as far as any  
criminal liability is concerned when  
the preliminary examination is had.

Hyrum Baird, for over a year  
manager of the Savoy Hotel com-  
pany, resigned his position last Sat-  
urday and he and wife will leave  
Price and make Provo their home.

According to a statement made to  
The Advocate by Mr. Baird the hotel  
has not been making money  
during the past few months, but  
that in order to protect all of the  
stockholders in the company he re-  
cently turned over to the Merchants

(Continued on page eight.)